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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/622,452	10/31/2000	David B. Weiner	UPAP-0404	6483

7590

10/01/2002

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EXAMINER

WEHBE, ANNE MARIE SABRINA

ART UNIT

PAPER NUMBER

1632

DATE MAILED: 10/01/2002

to

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 1632

Applicant's response to the restriction/election requirement received on 7/1/02 has been entered. See below.

***Response to Amendment***

The reply filed on 7/1/02 is not fully responsive to the prior Office action because of the following omission(s) or matter(s): while the applicant has elected group I, claims 1-29, and 33-37, for prosecution on the merits, and further the species a) plasmid vector and ll) DR5, the applicant has failed to identify which claims read upon the elected species. See 37 CFR 1.111. The response simply indicates that claims 1-29 and 33-37 are in condition for allowance. The previous office action stated on page 7 that a complete response to this requirement must include an identification of the species that is elected, consonant with this requirement, **and a listing of all claims readable thereon**, including any claims subsequently added. Currently, claims 23-27, 29, 30, and 33-37 are generic for the species of nucleic acid, and claims 1-3, 5-15, 17-25, 27-36, and 38-39 are generic for the species of immunomodulatory proteins. Applicant is requested to identify the claims which correspond to the elected subject matter.

Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid

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abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER  
37 CFR 1.136(a).

Any inquiry concerning this communication from the examiner should be directed to Anne Marie S. Wehbé, Ph.D., whose telephone number is (703) 306-9156. The examiner can be reached Mon-Thurs and every other Friday from 9:30-7:00. If the examiner is not available, the examiner's supervisor, Deborah Reynolds, can be reached at (703) 305-4051. General inquiries should be directed to the group receptionist whose phone number is (703) 308-0196. The technology center fax number is (703) 308-4242, the examiner's direct fax number is (703) 746-7024.

Dr. A.M.S. Wehbé

ANNE M. WEHBE' PH.D  
PRIMARY EXAMINER

